

OFFICE OF THE CLERK
**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

*P. O. BOX 432
MADISON WI 53701-0432
608-264-5156*

**INSTRUCTIONS FOR FILING A CIVIL RIGHTS COMPLAINT
UNDER TITLE 42 U.S.C. § 1983**

1. You must file, with the court, an original complaint plus one copy for each defendant that you sue. For example, if you sue two defendants, you must file an original and two copies. Don't forget to keep a set of copies for yourself.
2. Your copies should be exact copies or photocopies. Handwritten copies are acceptable, but only if they are identical to the originals.
3. Your complaint must be legible and signed by each plaintiff. It need not be notarized.
4. Please try to keep your complaint to the space provided.
5. There is a filing fee. Please contact clerk's office for the amount of that fee. In addition, the United States Marshal requires you to pay the cost of serving the complaint on each defendant. However, if you cannot pay the filing fee and service costs, you may petition the court for leave to proceed in forma pauperis by completing and signing, under penalty of perjury, the enclosed petition and financial affidavit. This does not need to be notarized. Each plaintiff who seeks to file in forma pauperis must complete a petition and affidavit.
6. When these forms are properly completed, mail them to:

**Clerk, United States District Court
Post Office Box 432
Madison, WI 53701**

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

(Full name of plaintiff(s))

VS

Case Number:

(Supplied by clerk)

(Full name of defendant(s))

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 U.S.C. §1983

I. PLACE OF PRESENT CONFINEMENT: _____

II. PARTIES:

A. Your name (Plaintiff(s)): _____

B. Your address: _____

C. Defendant (name): _____

is employed as: _____

at: _____

D. Additional defendants (names and positions): _____

III. STATEMENT OF CLAIM (Follow instructions carefully)

State as briefly as possible the essential facts of your case. Tell what each defendant did to you that caused you to file this suit against the defendant. If you are complaining about more than one wrong, use a separate numbered paragraph for each wrong, and describe each wrong in that paragraph. State only the facts.

Begin statement of claim:—

(WDWI rev. 5/94 ♀)

State exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes. DO NOT USE THIS SPACE TO STATE THE FACTS OF YOUR CLAIM. USE IT ONLY TO REQUEST REMEDIES FOR THE INJURIES YOU COMPLAIN ABOUT.

[illegible]

A. Have you begun other lawsuits in state or federal court relating to the same occurrence involved in this action.

[]NO

- Plaintiff(s):** _____

Defendant(s): _____

B. In which court was the lawsuit brought. (if in federal court, name the district; if in state court, name the county.):

C. Docket number (if you know it):_____

D. Current status of the case (for example: Was the case dismissed? Was it appealed? Is it still pending?):

E. Approximate date the case was filed:_____

F. Approximate date of disposition:_____

Complaint signed this ____ day of _____, 19____.

(Signature of plaintiff(s))

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

(Full name of plaintiff(s))

VS

Case Number: _____

(Supplied by clerk)

(Full name of defendant(s))

**PETITION AND AFFIDAVIT FOR LEAVE TO
PROCEED IN FORMA PAUPERIS**

I, _____, plaintiff or petitioner, move the court for leave to proceed in forma pauperis in the above-named action. I declare under penalty of perjury that the following facts are true:

1. I am the party initiating this action and I believe I am entitled to redress.
2. I am unable to prepay the fees and costs of this proceeding, or to give security, because of my poverty.
3. I am (check one) ☐ single ☐ married ☐ separated ☐ divorced.
4. My responses to the following questions are true:
 - A. Are you presently employed?
☐ YES ☐ NO

1. If so, by whom and what is your pay? _____

2. If not, when were you last employed and what was your pay? _____

B. Have you received money from any other source in the last twelve months?
☐ YES ☐ NO

1. If yes, describe each source and state how much you received:_____

C. How much money do you have in private checking or savings accounts?_____

D. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (except for ordinary household furnishings and clothing)?
☐ YES ☐ NO

1. If yes, describe the property and its approximate value:_____

E. Do you have any debts or obligations?
☐ YES ☐ NO

1. If yes, list the amounts owed, to whom, and any current payments that you are making.

F. List your dependents, state your relationship to them and state how much you contribute to their support.

I declare under penalty of perjury that the foregoing is true and correct.

This ____ day of _____, 19 ____.

(Signature of plaintiff)

=====

CERTIFICATE

(To be completed for prisoner only. This is a statement by the prison and not the prisoner.)

I hereby certify that the plaintiff or petitioner in this action has the sum of \$_____ in his trust account at the correctional center where he is confined. I further certify that the plaintiff or petitioner has the following securities to his credit according to the records of this institution:

This ____ day of _____, 19 ____.

(authorized officer)

(institution)

(title)